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The forgotten side of the 1960s comes to the White House.

OFFICER ED MEESE

By JEFF STEIN

BY THE 1960s, confounding Gertrude Stein, there was a "there" in Oakland, California. It was a vast, steaming ghetto; Black Panthers and violent rebellion; Bobby Seale and Huey Newton; the outlaw Hell's Angels; the hippies and the radicals on Telegraph Avenue. Edwin Meese III, a young deputy district attorney, lived in Oakland then too. But his was a different city and a different decade. Meese's neighborhood was the Oakland of the East Bay Hills, the placid part of town where the postman watched the family grow and the house add a wing, where the kids left their bikes outside all night. It was an Oakland that seemed carved out of Wisconsin and plunked down on the hills above the San Francisco Bay. In the popular chronicles of the 1960s, that Oakland plays only a cameo role. The books and articles and movies recall the Panthers, the free speech movement, People's Park, acid, sex, and Country Joe and the Fish—a time of protest and experimentation, draft resisters and apocalyptic fantasy. But it is Ed Meese—along with the other cops, prosecutors, and California law enforcement planners who worked the forgotten side of the 1960s—who is in the White House today.

Like the Reagan presidency, the Reagan governorship cut social welfare budgets, attacked legal services, and adopted strong law-and-order rhetoric and programs. And because the political landscape has been relatively serene for the past half-decade, it is sometimes assumed—especially in Washington—that campus protest, labor unrest, and race riots have permanently gone, never to return. Yet the potential for unrest exists. The introduction of only a handful of American advisers into El Salvador brought 100,000 demonstrators into the streets last May. A quarter of a million turned out for the Solidarity Day march on September 19. There is widespread sentiment for a new draft as the Reagan military commitment deepens. There is muted support for internal security investigations and covert action from within the Republican party. The first round of budget cuts, along with rises in fuel prices, inflation, interest rates, and unemployment in the industrial north, could result in social upheavals and a higher crime rate. How would the Rea-

gan administration handle it? The outlines of a presidential program for combating crime are only just beginning to emerge, but the record of the governorship provides a wealth of clues for the future.

It was Meese's record for prosecuting pot smokers and student protesters around Berkeley that brought him to the attention of Governor Reagan. It was Meese who dealt most directly with the riots and protest that shook California in the 1960s and 1970s and who helped the state develop an enormous law-enforcement establishment. And it is Meese who will be charged with developing a similar national program for the 1980s. "You always have to view Ed in the context of his father, who fits the classic image of the public servant," said Robert Wallach, a close Meese friend and San Francisco attorney. "I think Ed's attitude toward criminal justice is rooted in a sense of orderliness about society. He really believes in what we cynically call the basic American values. The Meeses are a very simple family in the sense of their material wants. They say grace before every meal. They're the prototype of the Norman Rockwell America."

The Meese name was well known in Oakland long before young Ed became a prosecutor. His paternal grandfather was an Oakland city councilman and treasurer. His father was Alameda County's treasurer and tax collector for a quarter-century. And before he married her, Ursula Herrick Meese had been a probation officer. Her father was an Oakland postmaster. "Finding someone around here who doesn't like Ed Meese," a senior California police officer told me with a laugh, "must be like trying to find a four-year-old who doesn't like Santa Claus." Even Jerry Brown's aides were astonished at the reputation Meese left behind in Sacramento, where he was a senior Reagan aide beginning in 1969. "It's funny," said one, a former antiwar activist. "After seven years, I'm sure the head of this department doesn't know the name of a single secretary. But Meese made sure he knew them all. And they remember it. They still love him."

Most people described Meese as a cool, professional conciliator. "If he had a temper, I never really saw it," said California deputy attorney general Roger Ventura. Other law enforcement officials gushed about Meese. "A renaissance man," Bill Medigovitch, a California intelligence specialist, called him. "It was like he was earmarked for destiny." Under Meese's direction,

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California gobbled up millions of dollars in Nixon-era "crime-fighting" funds. "To this day," Medigovitch said, "we owe him a great deal. We have radios and equipment the state ordinarily wouldn't have, and an ability to communicate tactically."

"I intensely respected Meese," said Charles Gaines, well known as the liberal police chief of Oakland and, later, San Francisco. "Philosophically, we're in different camps, there's no doubt about that. But what disturbs me now is that he is in such a high office, and when he speaks one might assume he is speaking Reagan's philosophy. Now, what does that portend for the future? I don't want to see the exclusionary rule done away with. I don't want to see the ACLU done away with. If anything, they're going to be more needed in the future." Indeed, Meese has already rung a few bells to alarm civil libertarians. In an address to a police convention in California last May, he labeled the American Civil Liberties Union "a criminals' lobby." He favors abolition of the exclusionary rule, which forbids the use of illegally obtained evidence in court. He is for preventive detention, against lawyers and judges who "deliberately and definitely thwart" police. There is little new here. Meese has held these positions for 20 years. "He's a former attorney with strong feelings about law and order," former Nixon aide Herbert Klein, now editor of the *San Diego Union*, told me.

Gaines's respect for Meese emerged from the working relationship they established during antiwar demonstrations aimed at closing access to the Oakland Army base. Gaines—and others—remember heated strategy sessions in which cops and other law enforcement personnel vented their outrage at students who were challenging the war effort. To them, it was a battle of patriots against traitors. But Meese firmly reminded the rank and file that the role of the police in controlling demonstrations must be limited strictly to enforcing the law, and that passions over the war issue had best be kept in check.

SUCH COOLNESS in the kitchen may have come from Meese's longstanding interest in controlling civil disorder. After graduating from Yale in 1953, he joined the Army and was assigned to an artillery unit in Oklahoma. Soon, as a lieutenant, he joined an intelligence unit, beginning a more than 20-year association with military intelligence. When Meese entered law school a few miles up Telegraph Avenue in then-placid Berkeley, he joined a reserve intelligence unit and remained active in it until late last spring. Eventually, Meese attained the rank of lieutenant colonel.

Robert Wallach was a classmate, friend, and moot court team colleague of Meese's. "Law school was not his first priority," Wallach said. "We all knew he was a very bright guy, but he didn't seem to have the same sense of intensity about law school as the rest of us. First, it's not Ed's temperament to be intense about anything. But beyond that, I think Ed viewed the law

as a vehicle for entering the criminal justice area." Meese seemed to spend most of his time on reserve-related issues. "I enjoyed it," Meese told Connie Bruck of the *American Lawyer* last February. "It was fascinating to me. Some people have other hobbies. That was one of mine." He also collected toy pigs. Today toy police cars are displayed on the living room mantle of his house in McLean, Virginia.

As deputy district attorney, Meese was a cop's kind of prosecutor, a Kojak-in-the-courtroom who liked to ride the city streets at night in a squad car. He often stopped to gather intelligence or to give pep talks to police patrolling the ghettos of east and west Oakland. In the prosecutor's office, Meese developed a reputation as steady, quiet, and fair—unconcerned with making headlines. He was comfortable with the hushed, corporate-style of the Reagan governorship. He signed on as extradition and clemency secretary, and quietly turned that minor position into a base for a law-enforcement empire.

BUT THE ROAD from Oakland to Sacramento had first passed through Berkeley. By the time the free speech movement exploded in 1964, Meese had started to spend an increasing amount of time in Sacramento as a lobbyist for the California District Attorneys and Peace Officers Association, pressing for harsh penalties for drug dealers and elimination of the exclusionary law. From Oakland, he watched the student protest movement gain momentum. Around the same time, attorney Robert Treuhaft received a call from Mario Savio to represent the students. Meese and another deputy DA, Lowell Jensen (now head of the Justice Department's Criminal Division), arrived. According to Treuhaft, "Meese called Governor [Pat] Brown—they were fed up with [university president] Clark Kerr—and said the situation is out of control and we can't be responsible. And they asked for the National Guard. I was just talking to them on a friendly basis, and then I started to leave. And as I passed the press office, I saw that the sheriff of the county was having a press conference. I heard Meese say from behind me, 'Sheriff, there's somebody here who's not a member of the press.' So I said to him, 'That makes three of us.' But he was not amused. They pushed me into the office and handcuffed my arms behind me. There hadn't been any arrests until then. And Meese was the one who said to the sheriff: 'Arrest him.'" Treuhaft says he was taken to jail, charged with trespassing and disorderly conduct, and denied bail. "I had an impression," he recalled, "of ice water in his veins."

"Meese came to Reagan's attention when he was prosecuting Berkeley students and pot smokers and putting radicals in jail," said Gordon Brownell, a former Nixon White House staffer and campaign aide to Reagan. Herbert Ellingwood, who is now a Reagan White House counsel, told Connie Bruck, "Reagan . . . really wanted to do something about the college prob-

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lems and the drugs." A former California Department of Justice intelligence officer who worked closely with Meese said that accurate intelligence was his prime tool: "He's a crisis man—he never seems to perspire." Reports from informants would be passed to Meese from various police agencies, then on to Governor Reagan. "Ed's primary responsibility was to keep the governor informed," he explained. Timely intelligence enabled Meese to implement the tactic of identifying protest leaders and removing them from the scene.

During draft board demonstrations in the Bay Area, the former intelligence officer, now a southern California prosecutor said, "Ed devised a plan ... to develop a prosecutable case against those who were committing the violence, particularly the leaders. ... In the midst of the riots, these people would be arrested and snatched right out from their friends, and nobody knew why. It would have a demoralizing effect and bring things to a screeching halt."

The strategy was used successfully against antiwar demonstrators at San Francisco State University. "Ed came down the day after [S.I.] Hiya-kawa [president of San Francisco State, now US sen-

ator] was appointed, and we revised the draft board plan. We identified 17 people in the commission of various crimes. We went down to the DA's office and signed the complaints and over the next few weeks arrested all of those people. Eventually, 15 were convicted. But the point is that within a week, that school had settled down, and it was primarily Ed's direction on how to handle this thing, and it went like clockwork. I had argued that we arrest them en masse, but Ed pointed out that that would only escalate the situation, and he was right."

As Reagan's chief of staff, Meese fueled the state's crime programs with millions of dollars from the Nixon administration's Law Enforcement Assistance Administration. He also mapped out welfare cuts and the campaign to truncate legal services for the poor. The attack on legal aid began with Reagan's 1970 veto attempt to seize control of the budget of the California Rural Legal Assistance program. Two years before, the federal Legal Services Corporation had named its California branch the nation's "outstanding legal services pro-

gram." To the Reagan team, then as now, it was a hotbed of publicly funded social agitation. They named Lewis Uhler, a former state public relations director for the John Birch Society, to ride herd on it. Uhler hired a staff of former CIA, FBI, and police officers, who wrote a report charging CRLA lawyers with fomenting violence and racial unrest in California schools and prisons. Frank Carlucci, then head of the Office of Economic Opportunity, and now deputy secretary of defense, appointed a committee which evaluated the Uhler report as "totally irresponsible," and found that CRLA had acted in good faith and in its clients' inter-



DRAWING OF ED MEESE BY ALLEN CARROLL

ests. Bob Gnaizda, then a CRLA attorney struggling with the Reagan team, said, "If any one person in the Ronald Reagan administration should be credited with the attack on legal services, it's Ed Meese."

On February 10, 1969, Governor Reagan stepped to a podium and set the customary pile of index cards before him. In the rows below were 500 military and civilian officials, including members of the California National Guard, the California Highway Patrol, town and city police officers, commanders from the Sixth US Army headquarters in San Francisco, and high-

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ranking utility executives. Reagan joked that if his political enemies could see him now, they'd think he "was planning a military takeover." To those who got wind of it six years later during the Church committee investigations, it seemed that way. Reagan was addressing a closed strategy session for "Operation Garden Plot," a federal plan for martial law in case of civil disorders. The California version was code-named "Cable Splicer." Paper war games were carried out under the names "Quiet Town" and "Gram Metric." The plans, kept tightly under wrap, called for military occupation of cities and towns and the neutralization of "dissident elements," which included "civil rights movements," "anti-Vietnam-antidraft movements," and "subversive conspiratorial aspects."

Reagan wound up his 1969 speech by noting that the plans were part of a "6,000-year history of man pushing the jungle back, creating a clearing where men can live in peace and go about their business with some measure of safety. . . . Of late, the jungle has been creeping in again a little closer to our boundaries." Two years later, the planning group met again in Sacramento and Reagan opened with another jest: "I don't exactly know whether to say I am meeting here with you, greeting you as a convention—or whether we are engaged in a criminal conspiracy."

Governor Reagan's lighthearted remarks masked a serious commitment to "big government" when it came to law enforcement. When Meese was elevated to chief of staff in 1969, he chose Herbert Ellingwood, a fundamentalist Christian and old friend, to succeed him as legal affairs secretary. Meese and Ellingwood then established the Office of Criminal Justice Planning to funnel federal law-enforcement funds into the state. "OCJP," said former legislative analyst Alan Post, "became a grab bag for every sheriff." Another top official adds, "It had a religious flavor to it." By 1974 the OCJP was employing 230 crime-fighting bureaucrats in "Project Safer California." Two million dollars was spent on the initial "goals and standards" study alone. And \$60 million was spent in a single year on helicopters, mace, special helmets, and other hardware. Special schools were established offering advanced courses in terrorism, drawing police from all over the US, Canada, and Mexico. This expensive effort did little to prevent crime. When Jerry Brown became governor in 1976, one of his first acts was to cut the OCJP's staff to fewer than 50. The LEAA itself was finally abolished during the Carter administration.

INTERNATIONAL terrorism still fascinates many in the Reagan camp as a challenge to domestic tranquility, although cooler heads, including that of FBI director William Webster, dismiss it as a significant factor in domestic law enforcement planning. Nevertheless, a number of Republicans say action is needed against American radical terrorists. In a 1979 Republican Na-

tional Committee study paper, Richard Allen, now the president's national security adviser, recommended the creation of a new joint FBI-CIA task force on domestic terrorism. According to FBI sources, Meese himself has unsuccessfully lobbied Webster to put aside the white-collar crime focus of the Carter years and devote more attention to both terrorism and street crime.

An intimate friend of Meese disputes the notion that Meese wants to start harassing radicals. "That is not true," the man said emphatically. "I know his attitude on the subject. I know that he does not favor the resumption of McCarthyism or the House Un-American Activities Committee." During the transition period, the friend says, Meese really wanted to be director of the FBI. The only other job that appealed to Meese, he said, was secretary of defense.

MESE has brought in one of his partners in California crime-fighting, Louis Giufreda, to run the Federal Emergency Management Agency. Giufreda is a senior California National Guard officer. He headed the school that specialized in antiterrorism courses during the Reagan governorship, the California Specialized Training Institute, in San Luis Obispo. Although FEMA is chartered only to cope with floods, nuclear civil defense, and the like, Giufreda retains his interest in terrorism. According to sources in the FBI, Giufreda and other new FEMA officials have been lobbying the White House and Congress for "an alternate force" to deal with terrorism, using examples such as the assassination of an Iranian dissident in the Washington suburbs last year, and even the attack on Reagan himself, to argue that the Secret Service and the FBI cannot do the job by themselves. The FBI, they say, has been paralyzed with guidelines. In the face of FBI statistics showing a drop in terrorism, the lobbyists, according to one Justice Department official, are doing "a quietly effective job" of convincing those who will listen that the Soviets have made important inroads among US radicals.

Under Giufreda's stewardship, FEMA has just established a new department, the Disorder Consequences Division, whose function has yet to be clearly defined. The National Firefighters Academy, in rural Emmitsburg, Maryland, has been quietly selected as the site for a new Emergency Training Center. Fred J. Villella, a former chief of the "Academic Division" of the California Specialized Training Institute, has been chosen to run it.

The Reagan governorship escaped the kind of blistering scrutiny that was directed at the Nixon White House over intelligence gathering. But beginning in 1970 (and perhaps earlier), Reagan got weekly intelligence reports on activists such as Tom Hayden, Jane Fonda, and Joan Baez, and groups such as Amnesty International, the Black Panthers, and the Jewish Defense League. The reports were generated by then-

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attorney general Evelle Younger's Organized Crime and Criminal Intelligence Branch to some 44 top aides and law enforcement officials in the Reagan team. Rumors of the intelligence gathering persisted for years while top officials denied them.

During the Reagan governorship, the OCCIB also became the hub of an unofficial network of local police and intelligence agents across the country known as the Law Enforcement Intelligence Unit, in which Meese played an active role. Founded in 1956, the LEIU from the beginning secretly gathered and exchanged information on civil rights, antiwar, and antinuclear activists. Utility companies also received the information, which was processed through a federally supported computer in East Lansing, Michigan. The OCCIB gave it financial support, with money budgeted for "printing LEIU cards, intelligence bulletins, and records," according to a 1972 internal funding report. Yet through the years, top LEIU officials denied the existence of political intelligence gathering. In 1976 Younger stated: "The department does not keep any files for political purposes"; and no official contradicted him.

At the end of Reagan's governorship, Meese briefly joined Rohr Industries, a northern California firm which built equipment for the San Francisco and Washington subways, as vice president for administration. But he soon returned to his home in La Mesa, California, to practice law and teach at the University of San Diego, a conservative Catholic school. There, with financial contributions from Richard Mellon Scaife and other conservative givers, he helped establish the Center for Criminal Justice Policy and Management, and became its director. Soon after he entered the White House, Meese returned to San Diego for a colloquium on "The Responsibility of Government" at the law school. He was asked: "How

do you define the legitimate role of government in today's society?" He replied:

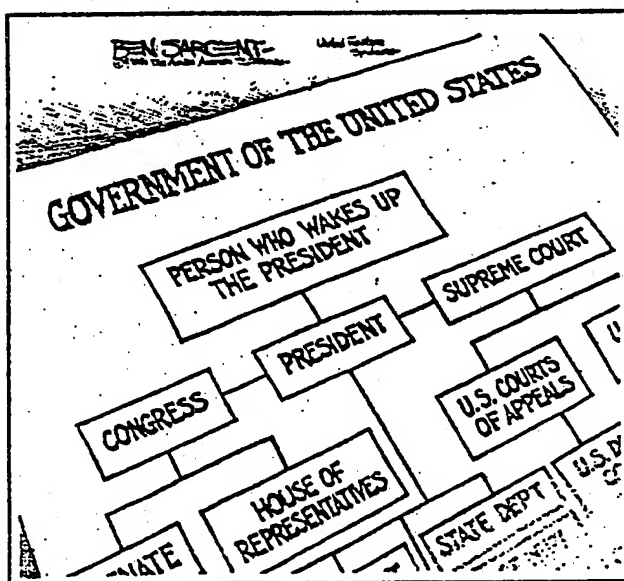
I think one of the things that governments historically, going back to the earliest civilizations, have been established to do is to protect the people from those among them who would hurt others or exercise their depredations on others, and also to protect them from external threats—other countries who might seek to invade or otherwise try to work their will upon a peaceful world. And I think this is something that I think we forget. We are so interested in government doing a lot of things that government was never intended to do, you forget about its first responsibility to protect the public. And I think that is where a lot of the orientation about the future really needs to be.

Meese's summary of the things government has a duty to do is all right as far as it goes, but it is extraordinarily limited. It recalls two of the admonitions of the Preamble to the Constitution: to ensure domestic tranquility and to provide for the common defense. But it leaves out the others: to establish justice, promote the general welfare, and "secure the blessings of liberty to ourselves and our posterity." It is the summary of a cop or a soldier, not of a statesman.

Last January, Meese assured the Heritage Foundation, a conservative think tank, that he would "rely heavily" on a report it had submitted to the new administration recommending that the government and Congress be "unleashed" to investigate "clergymen, students, businessmen, entertainers, labor officials, journalists, and government workers who may engage in subversive activities without being fully aware of the extent, purposes, or control of their activities." To close associates, Meese's offhand imprimatur on the Heritage Foundation was merely a good game of politics. In this and other ways, the Reagan-Meese White House has tended to humor its supporters on the outer fringe. But as the Eisenhower administration learned when it humored Joseph McCarthy until he attacked the US Army, that can be tricky.

Still, liberals seeking a cardboard villain in the Reagan administration will have to look elsewhere. In the White House, Meese has functioned smoothly as part of Reagan's "troika" of top assistants, along with chief of staff James Baker and deputy chief of staff Michael Deaver. He is, by all accounts, a nice guy. He reminds one of the kind of cop who has a friendly word for everyone on his beat and is just the man to get a kitten out of a tree or take a lost toddler home to its mother—even if he's not likely to waste much kindness on anyone who steps out of line.

But Ed Meese is no longer just a law enforcement official. He is a powerful national and international figure whose views help guide those of the president on issues ranging from food stamps to foreign policy. His charter has expanded enormously since his days in California. Whether his vision has similarly expanded is far less certain.



DRAWING BY BEN SARGENT